



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

October 20, 2008

Chief, Rules, Directives and Editing Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, D.C. 20555-0001

**RE: EPA Review and Comments
Final Environmental Impact Statement (FEIS)
Vogtle Electric Generating Plant Site
Issuance of an Early Site Permit (ESP) for
Construction and Operation of a New Nuclear Power Generating Facility
NUREG-1872
CEQ No. 20080322**

Dear Sir:

The U.S. Environmental Protection Agency (EPA) reviewed the subject Final Environmental Impact Statement (FEIS) pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act. The document provides information to educate the public regarding general and project-specific environmental impacts and analysis procedures, and follows the public review and disclosure aspects of the NEPA process. The purpose of this letter is to inform you of the results of our review.

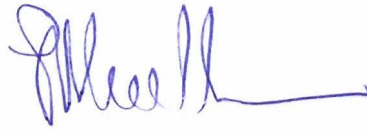
Southern Nuclear Operating Company, Inc. (Southern) applied for an early site permit (ESP) for the Vogtle Electric Generating Plant (VEGP) site, co-located with the existing Vogtle facility. The proposed action is to approve a site within the existing Vogtle boundaries for the construction and operation of a new nuclear power generating facility consisting of two new nuclear reactors and ancillary facilities, and to issue an ESP for the proposed site.

Thank you for addressing our comments regarding the DEIS. Based on EPA's review of the FEIS, a few environmental concerns remain which should be addressed in future NEPA documents. Specifically, there are concerns regarding details of radiological data references. Please see our attached comments.

Additional discussion of appropriate storage and ultimate disposition of radioactive wastes generated on-site, as well as continuing measures to limit bioentrainment and other impacts to aquatic species from surface water withdrawals and discharges should be continued to be addressed during project development. Compliance with the NPDES Permit should be addressed for the existing and new units. The NPDES permittee has operated and is currently operating in compliance with the NPDES permit requirements.

Thank you for the opportunity to comment on this FEIS. Please send us a copy of the Record of Decision (ROD) for our files. If you have any questions or need additional information, please contact Ramona McConney of my staff at (404) 562-9615.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Mueller', with a long horizontal flourish extending to the right.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

**EPA Review and Comments Regarding
Final Environmental Impact Statement (FEIS)
Vogtle Electric Generating Plant Site
Issuance of an Early Site Permit (ESP) for
Construction and Operation of a New Nuclear Power Generating Facility
NUREG-1872**

Radiological data

Section 2.5, Radiological Environment, does not cite a reference to the radiological environmental monitoring plan. Section 2.5 notes that a pre-operational environmental monitoring program was conducted before 1987 to establish a baseline to observe fluctuations of radiation in the environment after startup. A reference document should be cited.

Section 3.2.1, Plant Water Use, lists sources of liquid radioactive wastes, but there is no reference to a document citing the amount of the waste.

Section 5.9, Radiological Impacts of Normal Operations, should provide a reference for receptor locations identified (i.e., schools, hospitals, residences.)

The FEIS notes that in the high-level waste and spent fuel disposal component of the fuel cycle, uncertainty exists with respect to regulatory limits for off-site releases of radionuclides for the current candidate repository site. We are aware of ongoing efforts to license a geological repository for long-term disposition within the first quarter of the 21st century.

Appropriate on-site storage of spent fuel assemblies and other radioactive waste is necessary to prevent environmental impacts. Given the uncertainty regarding ultimate disposal, on-site storage may continue for a longer term than currently expected.

In the Waste Confidence Rule (10 CFR 51.23), the Commission generically determined that the spent fuel generated by any reactor can be safely stored on-site for at least 30 years beyond the licensed operating life of the reactor. Ultimately, long-term radioactive waste disposition will require transportation of wastes to a permitted repository site.

Wetlands and streams

Wetlands and stream impacts and their mitigation, and the Section 404 permit review process, should be discussed in future NEPA documents for this project. The Section 404 permit review process requires a compensatory mitigation plan for impacts that cannot be avoided or minimized. The Cumulative Impacts section of the FEIS discusses the Limited Waste Authorization (LWA) rule. We note that pre-construction impacts will be discussed in the Cumulative Impacts sections of future EISs for this project, and that approximately 21 acres of wetlands along the Savannah River could be impacted by the project.